

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

<p>BERNADETTE HIGHTOWER, <i>on behalf of herself and all others similarly situated,</i></p> <p>Plaintiff,</p> <p>v.</p> <p>RECEIVABLES PERFORMANCE MANAGEMENT, LLC,</p> <p>Defendant.</p>	<p>Case No. 2:22-cv-01683-RSM</p> <p>ORDER GRANTING PLAINTIFFS' AMENDED MOTION TO CONSOLIDATE RELATED CASES</p>
<p>LAUREN SHEMEYLA, <i>on behalf of herself and all others similarly situated,</i></p> <p>Plaintiff,</p> <p>v.</p> <p>RECEIVABLES PERFORMANCE MANAGEMENT, LLC,</p> <p>Defendant.</p>	<p>Case No. 2:22-cv-01686-RSM</p>

**ORDER GRANTING PLAINTIFFS' AMENDED MOTION TO
CONSOLIDATE RELATED CASES - 1**
Case No. 22-cv-01683-RSM

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1 ALICIA DAMON, *on behalf of herself and*
2 *all others similarly situated,*

Case No. 2:22-cv-01691-RSM

3 Plaintiff,

4 v.
5 RECEIVABLES PERFORMANCE
6 MANAGEMENT, LLC,

7 Defendant.

8
9 HELEN GOINS, *on behalf of herself and all*
10 *others similarly situated,*

Case No. 2:22-cv-01692-RSM

11 Plaintiff,

12 v.
13 RECEIVABLES PERFORMANCE
14 MANAGEMENT, LLC,

15 Defendant

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17 LATERSHIA JONES, *on behalf of herself*
18 *and all others similarly situated,*

Case No. 2:22-cv-01715-RSM

19 Plaintiff,

20 v.
21 RECEIVABLES PERFORMANCE
22 MANAGEMENT, LLC,

23 Defendant.

1 DAVID TRISTAN, *on behalf of himself and*
 2 *all others similarly situated,*

3 Plaintiff,

4 v.

5 RECEIVABLES PERFORMANCE
 6 MANAGEMENT, LLC,

7 Defendant.

Case No. 2:22-cv-01719-TSZ

9 WHEREAS, the Plaintiffs in six related cases pending before this Court—*Hightower v.*
 10 *Receivables Performance Management, LLC*, No. 2:22-cv-01683-RSM (“*Hightower Action*”);
 11 *Shemeyla v. Receivables Performance Management, LLC*, No. 2:22-cv-01686-RSM (“*Shemeyla*
 12 *Action*”); *Damon v. Receivables Performance Management, LLC*, No. 2:22-cv-01691-RSM
 13 (“*Damon Action*”); *Goins v. Receivables Performance Management, LLC*, No. 2:22-cv-01692-
 14 RSM (“*Goins Action*”); *Jones v. Receivables Performance Management, LLC*, No. 2:22-cv-
 15 01715-RSM (“*Jones Action*”); and *Tristan v. Receivables Performance Management, LLC*, Case
 16 No. 2:22-cv-01719-TSZ (“*Tristan Action*”) (collectively, “Related Actions”—agree that these
 17 actions, as well as any subsequently filed or transferred related actions, should be consolidated for
 18 all purposes including pretrial proceedings and trial pursuant to Federal Rule of Civil Procedure
 19 42; and

22 WHEREAS, no counsel for Defendant Receivables Performance Management, LLC has
 23 made an appearance in the Related Actions and will not be prejudiced by consolidation; and

24 WHEREAS, the Complaints in the Related Actions relate to the same, common factual
 25 allegations and legal theories. The Related Actions assert multiple common causes of action
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1 against the common Defendant relating to the same factual underpinnings, and seek the same relief
 2 in response to the same event; the Related Actions commonly seek certification of an overlapping
 3 nationwide class and allege that class members suffered harm as a result of the Data Breach
 4 because their PII (including Social Security numbers) was exposed to third parties without their
 5 authorization; and

6 NOW THEREFORE,

7 1. The *Hightower, Shemeyla, Damon, Goins, Jones, and Tristan* matters currently
 8 pending in this Court, and any other action arising out of the same or similar operative facts now
 9 pending or hereafter filed in, removed to, or transferred to this Court, shall be consolidated for pre-
 10 trial purposes pursuant to Federal Rule of Civil Procedure 42 (the “Consolidated Action”).

11 2. All papers filed in the Consolidated Action shall be filed under the *Hightower*
 12 *Action*, 2:22-cv-01683-RSM, the case number assigned to the first-filed case.

13 3. Any action subsequently filed in, transferred to, or removed to this Court that
 14 arises out of the same or similar operative facts as the Consolidated Action, shall be consolidated
 15 with the Consolidated Action for pre-trial purposes. The Parties shall file a Notice of Related
 16 Action whenever a case that should be consolidated into this action is filed in, transferred to, or
 17 removed to this District.

18 4. If the Court determines that the case is related, the clerk shall:

- 21 a. Place a copy of this Order in the separate file for such action;
- 22 b. Serve on Plaintiffs’ counsel in the new case a copy of this Order;
- 23 c. Direct that this Order be served upon Defendant(s) in the new case; and
- 24 d. Make appropriate entry in the Consolidated Action.

25 5. Within 14 days of the entry of this Order, or January 5, 2023, whichever is later,

1 any counsel seeking appointment as lead counsel in the Consolidated Action will file a motion for
2 appointment under Rule 23(g). No response or reply papers will be permitted on the motions.

3 6. Plaintiffs shall file a Consolidated Amended Complaint no later than thirty (30)
4 days following the Court's order on the forthcoming leadership applications.

5 7. Any response to the Consolidated Amended Complaint shall be due within thirty
6 (30) days from the filing of the Consolidated Amended Complaint. All prior response deadlines
7 are vacated.

8. This Order shall apply to the above-captioned matters, any subsequently
10 consolidated action, any actions consolidated with the above-captioned matters, and any actions
11 filed in or transferred or removed to this Court relating to the fact and the data breach underlying
12 this litigation.

13 IT IS SO ORDERED.

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16 DATED this 6th day of January, 2023.

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RICARDO S. MARTINEZ
21 UNITED STATES DISTRICT JUDGE
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